

No. 7, June Term, 1883

Vacate & Supply  
Public Road

~~TESTIM~~  
is

Chest Top

Contents:

Part 17031

CLEARFIELD COUNTY, SS:\*

At a Court of Quarter Sessions of the Peace of the county of Clearfield, held at Clearfield, in and for said county, on the 12<sup>th</sup> day of June, A. D. 1883, before Judges of said Court, upon a petition of sundry inhabitants of the township of Gordon & Chest, in said county, setting forth that they labor under great inconvenience for want of viewers to review, vacate and supply, Public Road from a point at or near Berwickdale in Gordon Township to a point at or near the House of Albert Thurston in Chest Township

review, vacate and supply, and therefore praying the Court to appoint proper persons to do and lay out the same according to law, and make report to the Court whereupon the Court, upon due consideration had of the premises, do order and appoint M. L. Joyce, James Dawson, and Richard Morrison who, after being respectively sworn or affirmed to perform the duties of their appointment with impartiality and fidelity, are to view the grounds proposed for said road, and if they view the same and any two of the actual viewers agree that there is occasion for such road, they shall proceed to lay out the same agreeable to the desire of the petitioners, as may be, having respect to the best ground for a road and the shortest distance, and in such manner as to do least injury to private property, and state particularly whether they judge the same necessary for a public or private road, together with a plot or draft of the same, with the courses and distances and reference to the improvements through which it passes, and shall also procure releases of damages from persons through whose lands said road may pass, or failing to procure such releases, shall assess the same, if any sustained, and shall make report thereof to the next Court of Quarter Sessions to be held for the said county, in which report they shall state that they have been sworn and affirmed according to law. Notice is directed to be given to the owners or occupants of seated lands through which the within road is intended to pass, of the time of the view, according to the 14<sup>th</sup> Rule of Court.

BY THE COURT.

James Kerr  
CLERK

To the Honorable the judges within named

## RELEASE OF DAMAGES.

KNOW ALL MEN BY THESE PRESENTS: That we, the undersigned, owners of lands through which the road located by the viewers, under the annexed order, passes, for and in consideration of the sum of ONE DOLLAR to us respectively paid by the ..... at and before the sealing and delivery hereof, have remised, released and forever quit-claimed and do hereby remise, lease and forever quit-claim to the said ..... all damages that may arise to us respectively by reason of the location and opening of the said road; so that neither we, nor any of us, nor any person claiming under us, can or may hereafter ask, sue for, demand, have or receive any damages for injuries arising or growing out of the location and opening of the road aforesaid.

Witness our hands and seals this 29 day of September  
A. D. 1883

J. H. A. Swan L.S.  
K. G. Patterson L.S.  
..... L.S.  
..... L.S.

## ASSESSMENT OF DAMAGES.

The following persons, having refused to release the damages to which they respectively may be entitled by reason of the location and the opening of the said road in the annexed return described, we, the undersigned viewers, under oath in pursuance of our duty, under the Act of Assembly do assess their damages and make report thereof, as follows:

To ..... the sum of .....

To ..... the sum of .....

To ..... the sum of .....

Witness our hands this ..... day of ..... A. D. 1883

NOTE.—In case of a Private Road, the referee must be  
executed in favor of the petitioner for such road.  
Also— Viewers will certainly make the number of days  
enough and set the amount out, and then the  
Referee will make the same, but the amount will be  
the same as the viewers, except so far as the location may be  
changed by the viewers, so far as the location may be  
changed, taking into consideration the advantages as  
well as the disadvantages of the road, they will report to  
that effect.

	Days	Amount
Richard Mission	1	2.00
	Miles 4	4.00
James Davison	1	2.00
	Miles 2	2.00
Albert Thompson	1	2.00
	Miles	
W. H. Boyce	2	8.00
	Miles 10	1.00
Days		
Miles		
		15.60

No. 1 *Final Sessions, 1883*

RECEIVED  
vacate, Super  
To review and lay out a Road

For Public use in the townships  
of Jordan and Clearfield county

and known as the 1883 boundary  
line, now to be opened 35 feet  
wide where the boundaries are  
described below to the best of  
my knowledge.

1st, beginning

February 1884,  
Professor Webster  
by the County  
of H. S.

Filed 24 Sept., 1883

Fees \$1 paid by J. H. Swan

Recd.

We the undersigned Citizens of Jordan-  
and Chest Townships do respectfully Petition  
the Hon Judges of the Court of Common  
Pleas of Clearfield County Pa to Appoint  
Viewers to vacate and supply a Township  
Road from a point at or near Berwindale  
in Jordan Twp to a point at or near the  
House of Albert Shuster in Chest Twp  
and we will ever Pray

P. Gilliam  
E. T. McMasters  
B. G. M. C. masters  
A. W. Young  
J. R. Patterson  
J. S. Swan  
John Swan Jr  
Harvey Patterson  
George T. Patterson  
John Stray  
Dinson Swan  
Ben Morrison  
Belltree  
Joseph Montgomery  
J. W. Montgomery  
J. H. McGeary  
G. R. McGeary  
Paul McGahey  
D. McGeary  
William McGahey  
John J. McGahey  
M. McGeary

Jos. A. Ferke.  
W. C. McGeary  
John Leavitt  
John McGeary  
J. S. McGeary

no 7 June 1883

25th June 1883. Johnson read and  
considered by Lewis' Board  
James Davison &  
D. S. Morrison

July 10th - June 1883

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We the persons appointed by an order of Court to view, vacate and supply the Road herein mentioned do Report That in pursuance thereof after giving due and public notice according to law having been duly sworn and affirmed all the persons appointed by said order having viewed the ground proposed for the within mentioned Road and the undersigned do agree there is occasion to vacate and supply Road as desired by the petitioners and that the same is necessary for a Public Road and having had respect to the shortest distance and best ground for such Road we have laid it out in such a manner as should do the least injury to private property and as far as practicable agreeable to the desire of the petitioners.

And to return for public use the following described Road commencing at a post in front of Store in Beavindale Jordan Township thence through the improvement of J. H. & A. Swans South forty seven degrees East twenty four minutes to a post thence through the same South forty four and three four the degrees west forty four minutes and across Whitmore Run thence through the improvement of Hezekiah Patterson South sixty three and a half degrees west ninety six minutes to post thence by land off J. H. & Swans South forty four degrees west eight minutes to post thence by the same and Chest Township South four degrees East fifty two minutes to post at Albert Thompson in Public Road length vacated & supplied in all two hundred and twenty four minutes a plot or draft which is herein annexed which said Road so as aforesaid laid out by vacating & supplying we are of the opinion is necessary for a public Road witness our hands the 13<sup>th</sup> day of Aug. A.D. 1883

James Davison  
Richard Morrison  
M. S. Boyce

